



# City Council Agenda

Council President  
**Brad Castillo**

Councilmembers

**Tom Boyajian**  
**Brian Calhoun**  
**Mike Dages**

**Jerry Duncan**  
**Henry T. Perea**, Acting President  
**Cynthia Sterling**

City Manager  
**Daniel G. Hobbs**

City Clerk  
**Rebecca E. Klisch , CMC**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

**TUESDAY, MAY 11, 2004**

***If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on [www.ci.fresno.ca.us](http://www.ci.fresno.ca.us). The Council meeting can also be heard live at the same web site address.***

## **8:30 A.M. ROLL CALL**

Invocation by Councilmember Dages

Pledge of Allegiance to the Flag

Proclamation of "FAMILY AWARENESS DAY" - Mayor Autry and All Councilmembers

Presentation of Proclamation to Ron and Nina Curtis - Councilmember Dages

Presentation of Life Saving Commendations - City Manager Hobbs

Presentation of certificates to the winners of the 12<sup>th</sup> Annual "SENIORS SERVING SENIORS" Awards Luncheon - Councilmember Sterling

**Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.**

**The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.**

Approve minutes of May 4, 2004

**Action Taken:**

Councilmember Reports and Comments

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

1. **GENERAL CONSENT CALENDAR**

**(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 p.m.**

- A. Approve modification of Laidlaw paratransit contract from 20 months to 12 months - Dept. of Transportation

**Action Taken:**

1. \* **RESOLUTION** - 74<sup>th</sup> amendment to AAR No. 2003-209 appropriating \$478,600 to fund the increased cost of Handy Ride paratransit services in fiscal year 2004 **(Requires 5 affirmative votes)**

**Action Taken:**

- B. Approve consideration of proposed Shields - Temperance No. 3 Reorganization, and Resolution for approval to file with the Fresno Local Agency Formation Commission (LAFCO) for the detachment of certain territory consisting of approximately 81 acres from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno **(Property located in District 4)** - Planning and Development Dept.

**Action Taken:**

1. Consider and adopt the environmental finding of a mitigated negative declaration for Environmental Assessment No. R-03-45/T-5233 dated November 26, 2003

**Action Taken:**

2. **RESOLUTION** - Applying to the Fresno Local Agency Formation Commission (LAFCO) in the matter of the proposed Shields - Temperance No. 3 reorganization

**Action Taken:**

1. **GENERAL CONSENT CALENDAR CONTINUED**

- C. \* Approve a professional services agreement with Technicon Engineering Services, Inc., (Technicon), for testing and special inspection services for the Convention Center parking structure - Public Works Dept.  
**Action Taken:**
- D. \* Approve a professional design services agreement with Cooper Pugeda Management, Inc., (CPM), for construction management services for the Convention Center parking structure - Public Works Dept.  
**Action Taken:**
- E. Approve acquisition of two (2) street easements from Antoinette Lambe for the widening of Herndon Avenue between Polk and Weber - Public Works Dept.  
**Action Taken:**
- F. Approve an amendment to agreement with HDR Engineering, Inc., for construction engineering services for the new Power Generation Facility (PGF) at the Regional Wastewater Reclamation Facility - Public Works Dept.  
**Action Taken:**
- G. Approve substitution of subcontractor for the Santa Fe Depot rehabilitation project - Public Works Dept.  
**Action Taken:**
- H. \* **RESOLUTION** - 84<sup>th</sup> amendment to AAR No. 2003-209 appropriating \$33,600 for the Public Works Department disbursal of Community Facilities District No. 2 deposit funds to the Parks Department for the maintenance of newly accepted acreage in the district (***Requires 5 affirmative votes***) - Public Works Dept.  
**Action Taken:**
- I. Approve amendments to Section 7 of the Bicycle and Pedestrian Charter, composition of and process for appointment to the advisory committee - Public Works Dept.  
**Action Taken:**
- J. \* Award a requirements contract to Engineered Controls, Inc., of Clovis, CA, for repair and painting of metal refuse bins - General Services Dept./Dept. of Public Utilities  
**Action Taken:**
- K. Authorize the City to extend a lease with the Fresno Rescue Mission, Inc., to provide youth recreation services and alternative placement of inebriated individuals for the Fresno Police Department - Police Dept.  
**Action Taken:**
- L. \* Award a contract to J F Pacific Liners, Inc., of Vacaville, CA, for trunk-line cleaning for fiscal year 2004 - General Services Dept./Dept. of Public Utilities  
**Action Taken:**
- M. Reject all bids for requirements contract for chemical metering pumps - General Services Dept./Dept.

of Public Utilities

**Action Taken:**

1. **GENERAL CONSENT CALENDAR CONTINUED**

- N. \* Award a contract to Fresno Truck Center of Fresno, CA, for two (2) Class 8 dump trucks - General Services Dept.  
**Action Taken:**
- O. \* **RESOLUTION** - Authorizing application for and acceptance of State of California Off-Highway Motor Vehicle Recreation Division Off-Highway Motor Vehicle Grant Program funding and execution of related documents - Police Dept.  
**Action Taken:**
- P. **RESOLUTION** - Requesting the Fresno County Board of Supervisors' support of the Chaffee Zoo Committee's report and recommendations - City Manager's Office  
**Action Taken:**

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

- 9:15 A.M. Presentation regarding Mexicana international passenger air service at Fresno Yosemite International (FYI) Airport - Mayor Autry, Council President Castillo, and Airports Dept.  
**Action Taken:**
- 9:50 A.M. Presentation by Police Chief Dyer regarding steps taken to address gang violence problem in the City of Fresno - Councilmember Calhoun  
**Action Taken:**
- 10:00 A.M. Presentation by Public Safety Commission  
**Action Taken:**
- 10:30 A.M. **HEARING** to consider Rezone Application No. R-03-55, and environmental findings, filed by Bennett  
Development, Inc., pertaining to approximately 75 acres of land, located on the North side of E. Church Avenue between S. Peach and S. Minnewawa Avenues (***Property located in District 5***) - Planning and Development Dept.  
**Action Taken:**
1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. R-03-55/T-5235/C-03-191  
**Action Taken:**
  2. **BILL** - Amending the Official Zone Map to rezone from the R-A/UGM (Single Family Residential-Agricultural/Urban Growth Management) and AE-5/UGM (Exclusive Five Acre Agricultural/Urban Growth Management) zone districts to the R-1/UGM (Single Family Residential/Urban Growth Management) and R-2/UGM (Low Density Multiple Family Residential/Urban Growth Management) and C-1/UGM (Neighborhood Commercial/Urban Growth Management) zone districts.  
**Action Taken:**

## TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

- 10:40 A.M. HEARING** to consider Rezone Application No. R-03-61, and environmental findings, filed by Artel Farms, Inc., pertaining to approximately 3.6 acres of land located on the East side of N. Polk Avenue between W. Ashlan and W. Gettysburg Avenues (***Property located in District 2***) - Planning and Development Dept.
- Action Taken:**
1. Consider and adopt Environmental Assessment No. R-03-61/T-5259, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)  
**Action Taken:**
  2. **BILL** - Amending the Official Zone Map to rezone from the R-1-C/UGM (Single Family Residential/Urban Growth Management) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management) zone district.  
**Action Taken:**
- 10:45 A.M. HEARING** to consider Rezone Application No. R-03-68, and environmental findings, filed by Ciao Properties, pertaining to 10.2 acres of land located on the Southwest corner of N. Maple and E. Copper Avenues (***Property located in District 6***) - Planning and Development Dept.
- Action Taken:**
1. Consider and adopt Environmental Assessment No. R-03-68/T-5261, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)  
**Action Taken:**
  2. **BILL** - Amending the Official Zone Map to rezone from AL-20 (County of Fresno - Limited Twenty Acre Agricultural) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management) zone district.  
**Action Taken:**
- 10:50 A.M. HEARING** to consider Plan Amendment No. A-03-14, Rezone Application No. R-04-23, and environmental findings, filed by McMillin Homes, pertaining to a 26.7-acre parcel of land located on the Northwest corner of S. Peach and E. Butler Avenues (***Property located in District 5***) - Planning and Development Dept.
- Action Taken:**
1. Consider and adopt a Mitigated Negative Declaration for Environmental Assessment No. A-03-14/R-04-23/T-5262  
**Action Taken:**
  2. **RESOLUTION** - Amending the 2025 Fresno General Plan and the Roosevelt Community Plan  
**Action Taken:**
  3. **BILL** - Amending the Butler-Willow Specific Plan  
**Action Taken:**
  4. **BILL** - Amending the Official Zone Map to rezone a 7.5-acre portion of the site from R-P/BA-15-30 (Residential and Professional Office/Boulevard Area with 15-30 feet of landscaping) to the R-1/BA-15-30 (Single Family Residential/Boulevard Area with 15-30 feet of landscaping) zone district  
**Action Taken:**

2:00 PM #1

**CONTESTED CONSENT ITEMS**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

2:00 PM #2

**CLOSED SESSION**

A. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6

**City Negotiator(s):** Jon Ruiz, Adela Gonzalez and Jorge Aguiniga

**Employee Organization(s):**

1. International Association of Firefighters (IAFF Management)
2. International Association of Firefighters (IAFF Non-Management) Local 753

**Action Taken:**

2:00 PM #3

**CLOSED SESSION ANNOUNCEMENTS (IF ANY)**

3:00 P.M.

Presentation of Fiscal Year 2005 Budget - Mayor Autry

**Action Taken:**

3:45 P.M.

The "New City Beautiful"

A. Receive status report on developing a sustainable ("green") building policy for the City of Fresno - Planning and Development Dept.

**Action Taken:**

B. Historic Preservation - Planning and Development Dept.

1. Status report on the recommendations from the Blue Ribbon Commission on Historic Preservation

**Action Taken:**

2. Nominations to the Local Register of Historic Resources

A. **RESOLUTION** - Designating the Ernest J. Huntzicker Memorial Hall, located at 245 N. Calaveras Street, to the Local Register of Historic Resources

**Action Taken:**

B. **RESOLUTION** - Designating the Fresno Trolley Car Diner, located at 1731 S. Cherry Avenue, to the Local Register of Historic Resources

**Action Taken:**

C. **RESOLUTION** - Designating the Gates-Twining Home, located at 640 E. Pine Avenue, to the Local Register of Historic Resources

**Action Taken:**

D. **RESOLUTION** - Designating the John C. Fox Home, located at 128 N. Calaveras Street, to the Local Register of Historic Resources

**Action Taken:**

E. **RESOLUTION** - Designating the Samuel E. Johnston Home, located at 1526 E. Andrews Avenue, to the Local Register of Historic Resources

**Action Taken:**

F. **RESOLUTION** - Designating the State Center Warehouse and Cold Storage Company, located at 747 "R" Street, to the Local Register of Historic Resources

**Action Taken:**

G. **RESOLUTION** - Designating the Thomas Thorn Home, located at 2543 E.

Madison Avenue, to the Local Register of Historic Resources

**Action Taken:**

- C. \* **RESOLUTION** - Adopting a public art policy - Parks, Recreation and Community Services Dept./Planning and Development Dept.

**Action Taken:**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

- 5:00 P.M. **HEARING** to consider Rezone Application No. R-03-12, and environmental findings, filed by Logan Montemagni and Associates on behalf of Marathon Properties, LLC, pertaining to a 0.61-acre parcel of land located on the south side of E. Alta Avenue, between S. Orange Avenue and S. Seventh Street (**Property located in District 5**) - Planning and Development Dept.

**Action Taken:**

1. Consider and adopt Environmental Assessment No. R-03-12/S-03-045, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

**Action Taken:**

2. **BILL** - Amending the Official Zone Map to rezone from R-1 (Single Family Residential) zone district to the R-2 (Low Density Multiple Family Residential) zone district.

**Action Taken:**

2. **GENERAL ADMINISTRATION**

3. **CITY COUNCIL**

- A. Discussion and action in the preparation of necessary documents to be submitted prior to a special meeting being held in Sacramento on May 13, 2004, relating to the proposal being placed on the November ballot by the League of California Cities, pertaining to protecting the City and County of Fresno's budget from the State of California - Councilmember Calhoun

**Action Taken:**

- B. Council discussion and direction regarding the Local Taxpayers and Public Safety Protection Act initiative and efforts to introduce a proposed alternative - Councilmember Calhoun

**Action Taken:**

- C. Council discussion and direction regarding the time lines for agenda distribution - Council President Castillo

**Action Taken:**

**PUBLIC COMMENT PERIOD - No Council action except to place on future agenda.  
Presentation limited to three (3) minutes.**

A. **SCHEDULED PUBLIC COMMENT -**

- B. **UNSCHEDULED COMMUNICATION** - Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date.

## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

- May 18 - 9:30 A.M. JOINT MEETING/RDA** - Presentation by West Fresno Charrette - Councilmember Sterling
- May 18 - 10:00 A.M. HEARING** re: CFD No. 2, Annexation No. 68 Final Tract Map No. 5163 -Public Works Dept. **(Continued to May 25, 2004 @ 10:00 a.m.)**
- May 18 - 10:05 A.M. #1 HEARING** re: Rezone Appl. No. R-04-01, filed by Rosie Hong Truong
- May 18 - 10:05 A.M. #2 HEARING** re: Rezone Appl. No. R-03-56, filed by Sid DeLa Torre on behalf of Robert T. Do
- May 18 - 10:05 A.M. #3 HEARING** re: Rezone Appl. No. R-04-12, filed by Larry Rosa
- May 25 - 10:00 A.M. CONTINUED HEARING** regarding Community Facilities District No. 2, Annexation No. 68 Final Tract Map No. 5163 -Public Works Dept.
- June 1 - NO MEETING - MEMORIAL DAY**
- June 15 - 4:00 P.M. HEARING** re: appeal re: CUP Appl. No. C-02-226, filed by Wilkins Enterprises (Council District 2) - Councilmember Calhoun
- July 6 - NO MEETING - COUNCIL VACATION**
- July 13 - NO MEETING - COUNCIL VACATION**
- July 15 - 2:30 P.M. WORKSHOP** re: ADA Advisory Council - Public Works Dept. (1 Hour)

### **FUTURE WORKSHOP** *(Dates to be determined)*

**WORKSHOP** re: Consideration of additional services to be provided by Community Facilities Districts in the City of Fresno - Public Works Dept.

**WORKSHOP** re: Urban forest - Parks, Recreation and Community Services Dept. and Public Works Dept. -

**JOINT WORKSHOP** regarding Caltrans and City Partnership - Public Works and Planning and Development Depts. - Council President Castillo

**WORKSHOP** re: Bike Advisory Committee - Public Works Dept.